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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/215,194 12/18/98 IKEGAMI

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005514- TM02/1212  
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 EXAMINER

NGUYEN, T

ART UNIT

PAPER NUMBER

2182

DATE MAILED:

12/12/00

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks**

<b>Office Action Summary</b>	Application No. 09/215,194	Applicant(s) Ikegami et al.
	Examiner Tanh Nguyen	Group Art Unit 2182
		

Responsive to communication(s) filed on Dec 18, 1998

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1035 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

#### Disposition of Claim

Claim(s) 1-28 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 1-28 is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claims \_\_\_\_\_ are subject to restriction or election requirement.

#### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

#### Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). 6

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## DETAILED ACTION

1. Claims 1-28 are presented for examination.

### *Specification*

2. The disclosure is objected to because of the following informalities:

“plurally” on page 11, line 7 is not properly used.

“RAM 105” on page 17, line 2 does not correspond to any RAM in FIG. 4.

The specification has not been checked to the extent necessary to determine the presence of all possible errors. Applicant is required to review the specification and make appropriate corrections.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 of this title before the invention thereof by the applicant for patent.

4. Claims 1-3, 5, 7; 8-10, 12, 14; 15-17, 19, 21; 22-24, 26, 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Nagata et al. (U. S. Pat. No. 5,787,288).

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5. As per claim 1, Nagata et al. (Nagata) teaches an image forming apparatus [10, FIG. 8] comprising:

a plurality of memory media [3, 4, FIG. 8] for storing control codes (col. 4, lines 56-62);  
rewrite means (col. 5, lines 5-11) for rewriting control codes stored in the plurality of  
memory media;

the rewrite means transferring rewrite execution codes to predetermined one of the  
plurality of memory media from an external apparatus (col. 2, lines 63-col. 3, line 3; col. 3, lines  
49-51; col. 7, lines 54-55; col. 9, lines 14-16), and rewriting the control codes in accordance with  
the transferred rewrite execution codes (col. 6, lines 40-41; col. 7, lines 44-46).

6. As per claim 15, Nagata teaches an image forming apparatus [10, FIG. 8] comprising:

a memory medium [3, 4, FIG. 8] for storing control codes (col. 4, lines 56-62);  
rewrite means (col. 5, lines 5-11) for rewriting control codes stored in the memory  
medium;

the rewrite means obtaining rewrite execution codes from an external apparatus (col. 2,  
lines 63-col. 3, line 3; col. 3, lines 49-51; col. 7, lines 54-55; col. 9, lines 14-16), and receiving the  
control codes from the external apparatus to rewrite the control codes in accordance with the  
obtained rewrite execution codes (col. 6, lines 40-41; col. 7, lines 44-46).

7. As per claims 8 and 22, see the rejections to Paragraphs 5 and 6 above.

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8. As per claims 2-3, 5,7; 9-10, 12, 14; 16-17, 19, 21; 23-24, 26, 28, Nagata teaches the predetermined medium being a non-volatile memory medium [3, FIG. 8]; the predetermined medium being a volatile memory medium [4, FIG. 8]; an image forming control means for controlling an image forming process, and a switching means for exclusively changing over between the image forming process and the rewriting of the control codes (col. 5, lines 5-11); and the switching means exclusively changing over in accordance with a predetermined command [NSS signal] transmitted from the external apparatus (col. 6, lines 51-54).

*Claim Rejections - 35 USC § 103*

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Whitley et al.** (U. S. Pat. No. 5,590,373) in view of **Nagata et al.**

11. As per claim 1, **Whitley et al.** (Whitley) teaches a device [100, FIG. 1] comprising:  
a plurality of memory media [102, 108, 110, FIG. 1] for storing control codes [140, 140', 142, 142', 143, 143', ..., FIG. 1];

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rewrite means [FIG. 2G; FIG. 3; steps 600-610, FIG. 6A] for rewriting control codes stored in the plurality of memory media (col. 3, lines 7-15; col. 5, lines 20-34);

the rewrite means transferring rewrite execution codes [steps 612-614, FIG. 6A] to predetermined one of the plurality of memory media [102, FIG. 6B] from an external apparatus [120, FIG.1], and rewriting the control codes [422, FIG. 6B] in accordance with the transferred rewrite execution codes [FIG. 7A; FIG. 8A].

Whitley teaches a FAX PGM [142, 142', FIG. 1], but does not specifically teaches an image forming apparatus.

Nagata teaches another rewrite means transferring rewrite execution codes to predetermined one of the plurality of memory media from a central station [9, FIG. 8], and rewriting the control codes in accordance with the transferred rewrite execution codes for an image forming apparatus.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Whitley's teachings with Nagata's teachings because they are both directed to rewriting the control codes to a plurality of memory media using rewrite execution codes, and Nagata's aforementioned teachings would allow the rewriting process in Whitley's teachings to be used in one of a variety of devices, and would also provide a plurality of rewriting means to the Whitley's device. The combination of Whitley's and Nagata's teachings would therefore result in a more flexible rewriting process that can be used in a variety of devices.

12. As per claim 15, Whitley teaches a device [100, FIG. 1] comprising:

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a memory medium [102, 108, 110, FIG. 1] for storing control codes [140, 140', 142, 142', 143, 143', ..., FIG. 1];

rewrite means [FIG. 2G; FIG. 3; steps 600-610, FIG. 6A] for rewriting control codes stored in the memory medium (col. 3, lines 7-15; col. 5, lines 20-34);

the rewrite means obtaining rewrite execution codes [steps 612-614, FIG. 6A] from an external apparatus [120, FIG. 1], and receiving the control codes [422, FIG. 6B] from the external apparatus to rewrite the control codes in accordance with the obtained rewrite execution codes [FIG. 7A; FIG. 8A].

Whitley teaches a FAX PGM [142, 142', FIG. 1], but does not specifically teach an image forming apparatus.

Nagata teaches another rewrite means obtaining rewrite execution codes from a central station [9, FIG. 8], and receiving control codes from the external apparatus to rewrite the control codes in accordance with the obtained rewrite execution codes for an image forming apparatus.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Whitley's teachings with Nagata's teachings because they are both directed to rewriting the control codes to a memory medium using rewrite execution codes, and Nagata's aforementioned teachings would allow the rewriting process in Whitley's teachings to be used in one of a variety of devices, and would also provide a plurality of rewriting means to the Whitley's device. The combination of Whitley's and Nagata's teachings would therefore result in a more flexible rewriting process that can be used in a variety of devices.

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13. As per claims 8 and 22, see the rejections to Paragraphs 11 and 12 above.

14. As per claims 2-3, 5,7; 9-10, 12, 14; 16-17, 19, 21; 23-24, 26, 28, see the rejections in Paragraph 8 above.

15. As per claims 3-6; 10-13; 17-20; 24-27, Whitley teaches the predetermined medium being a volatile memory medium [102, FIG. 1]; the rewrite execution codes including address information for rewriting the control codes in accordance with the address information (col. 7, lines 43-53); a switching means [FIG. 2G; FIG.3] for exclusively changing over between an operational process [FIG. 2H] and the rewriting of the control codes (col. 3, lines 7-15; col. 5, lines 20-34); and the switching means exclusively changing over in accordance with a predetermined switch [126(6), FIG. 3].

### *Conclusion*

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tanh Quang Nguyen whose telephone number is (703) 305-0138, and whose e-mail address is tanh.nguyen36@uspto.gov. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee, can be reached on (703) 305-9717. The fax phone number for the organization where this application or proceeding is assigned is (703) 306-5404.

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Any inquiry of a general nature relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Mail responses to this action should be sent to:

Commissioner of Patents and Trademarks

Washington, D. C. 20231

Faxes for formal communications intended for entry should be sent to:

(703) 308-9051,

or, for informal or draft communications, to:

(703) 306-5404 (please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to:

Crystal Park II, 2121 Crystal Drive, Arlington, Va, Sixth Floor (Receptionist).

THOMAS LEE  
SUPERVISORY PATENT EXAMINER  
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TQN

December 4, 2000